

Proposed change to the local rules for the United States Bankruptcy Court for the Northern District of Indiana. New material is indicated by redline, and deleted material is indicated by ~~strikeout~~.

**B-2002-2**  
**Notice of Opportunity to Object to Motions**

1       (a) Except as otherwise ordered, the court will consider the following matters without  
2 holding a hearing, unless a party in interest files a timely objection to the relief requested:

3           (1) Motions to approve agreements relating to relief from the automatic stay;  
4 providing adequate protection; or prohibiting or conditioning the use, sale or lease of  
5 property.

6           (2) Motions to approve agreements relating to the use of cash collateral.

7           (3) Motions for authority to obtain credit.

8           (4) In cases pending under Chapter 7, motions for relief from the automatic stay.

9           (5) Motions to avoid liens on exempt property.

10          (6) Motions to redeem personal property from liens.

11          (7) Applications for administrative expenses, including compensation for services  
12 rendered and reimbursement of expenses.

13          (8) Motions to extend the time for filing claims.

14          (9) Motions to extend the exclusivity periods for filing a Chapter 11 plan.

15          (10) Motions to extend the time to assume or reject executory contracts and  
16 unexpired leases.

17          (11) Motions filed by a trustee or debtor-in-possession to assume or reject executory  
18 contracts and unexpired leases.

(12) Motions to approve a modification to a confirmed Chapter 11, Chapter 12 or Chapter 13 plan.

(13) Motions to approve a compromise or settlement.

(14) Motions to transfer a case to another district or to another division in this district.

(15) Motions to approve transactions outside the ordinary course of business, except motions for the sale or lease of personally identifiable information.

(16) Motions to sell property free and clear of liens and/or to distribute the proceeds of sale, except motions to sell or lease personally identifiable information.

(17) Motions to abandon property of the estate.

(18) Motions for relief from the co-debtor stay of 11 U.S.C. § 1201 or § 1301.

(19) Motions for the joint administration or substantive consolidation of cases.

(20) Motions to compel the debtor to turnover or deliver property to a trustee.

(21) In cases under Chapter 12 and 13, motions for a discharge prior to the completion of payments under a confirmed plan (motions for hardship discharge).

(22) Motion of a party in interest to enter a final decree in a case under Chapter 11.

(23) Trustees' Applications to Employ Professionals after Notice to Creditors filed pursuant to N.D. Ind. L.B.R. B-2014-2(b).

(24) Applications to employ professionals *nunc pro tunc*.

(25) Motions for discharge in individual Chapter 11 cases.

(b) Except as otherwise ordered by the court:

(1) no less than fourteen (14) days notice shall be given of the opportunity to file objections to:

(A) motions to approve agreements relating to relief from the automatic stay, providing adequate protection, prohibiting or conditioning the use, sale or lease of property;

(B) motions to approve agreements relating to the use of cash collateral;

(C) motions for authority to obtain credit;

(D) motions for relief from the automatic stay in cases pending under Chapter 7; and

(E) motions relating to abandonment of property from the estate.

(2) no less than twenty-one (21) days notice shall be given of the opportunity to file objections to the other motions subject to this rule.

In all cases, the time within which objections may be filed shall be measured from the date notice of the opportunity to object is mailed.

(c) Local Bankruptcy Form 3a (LBF-3a), Local Bankruptcy Form 3b (LBF-3b) or another form of notice substantially similar thereto shall be used to give creditors and parties in interest notice of the motion and the opportunity to object thereto. This notice **must** (1) identify the party seeking relief, (2) state the name of the motion and the date upon which it was filed, (3) briefly and specifically state what you are asking the court to do, (4) contain a brief summary of the ground for the motion or have a copy of the motion attached to it, (5) state the date by which objections to the motion are to be filed, where objections should be filed and upon whom copies should be served, (6) contain a statement to the effect that if no objections are filed by the date due the court may grant the relief requested without holding a hearing, (7) be dated as of the date it is served, and (8) be signed by counsel for the movant or the movant, if *pro se*, and contain the name, address and telephone number of the individual signing the notice.

65 (d) The moving party shall be responsible for properly completing the appropriate version of  
66 LBF-3 so that it contains the required information, serving it upon the entities required by the  
67 United States Bankruptcy Code, the applicable rules of bankruptcy procedure, the local rules of  
68 this court,<sup>1</sup> and/or any order of the court, and making due proof thereof. The failure to do so  
69 within seven (7) days of the date the motion was filed will be deemed to be a waiver of any time  
70 limits associated with ruling on the motion, including the time limits set forth in 11 U.S.C. §  
71 362(e).

72 (e) The appropriate version of LBF-3 may also be adapted for use in those instances, not  
73 specifically covered by this rule, where the court directs that particular relief may be granted  
74 without a hearing following the expiration of notice to creditors. In those situations, in addition  
75 to complying with the other requirements of this rule, the notice shall be accompanied by a copy  
76 of the court's order authorizing notice to creditors and establishing the deadline for filing  
77 objections.

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<sup>1</sup>Pursuant to Rule 5003(e) of the Federal Rules of Bankruptcy Procedure, the clerk maintains a list containing the addresses of various state and federal governmental units. The list is available at the clerk's office and on the court's web site.